

Notice of Allowability	Application No.	Applicant(s)	
	09/635,178	CAHILL ET AL.	
	Examiner	Art Unit	
	Sath V. Perungavoor	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/03/06.
2. ☒ The allowed claim(s) is/are 1,2,4,8,10-15 and 25-34.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>05162006</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

EXAMINER'S AMENDMENT

[1] An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

[2] Authorization for this examiner's amendment was given in a telephone interview with Mr. Paul A. Leipold (Reg. No. 26,664) on May 17, 2006.

The application has been amended as follows:

In claim 1

Please replace all subject matter in claim 1 with the following:

1. (currently amended) A method of locating a linear defect on a photographic element, the element having a useful imaging width and the defect aligned with length of the element, comprising the steps of:

- a) exposing a region of the element to create a latent image which is substantially uniform across the useful imaging width of the element;
- b) processing the latent image to produce a density signal;
- c) sampling the density signal with a photometric device; and
- d) analyzing the sampled density data in the widthwise direction to determine if there are regions where uniformity differs from that of the uniform exposure, if such differences are found they are ~~linear~~ defects, if multiple widthwise analysis indicates a defect in the same widthwise location then those defects are categorized as a linear defect, further comprising the step of

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employing the location of the linear defect in processing a digital image derived from the photographic element wherein the photographic element is a negative photographic film having a plurality of layers and the exposure is high enough to produce a latent image that is developable in all layers of the film and the exposure is low enough to produce a latent image that upon development allows detection of any additional density due to a defect.

In claim 25

Please replace all subject matter in claim 25 with the following:

25. (currently amended) A method of locating a linear defect on a photographic element, the element having a useful imaging width and the defect aligned with length of the element, comprising the steps of:

- a) exposing a region of the element to create a latent image which is substantially uniform across the useful imaging width of the element;
- b) processing the latent image to produce a density signal;
- c) sampling the density signal with a photometric device; and
- d) analyzing the sampled density data in the widthwise direction to determine if there are regions where uniformity differs from that of the uniform exposure, if such differences are found they are ~~linear~~ defects, if multiple widthwise analysis indicates a defect in the same widthwise location then those defect are categorized as a linear defect, further comprising the step of employing the location of the linear defect in processing a digital image derived from the photographic element wherein the exposing step comprises exposing a multiplicity of exposure levels varying along the length of the element, whereby a linear defect may be localized in exposure.

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In claims 5 and 6

Please cancel claims 5 and 6

REASONS FOR ALLOWANCE

[3] The following is an examiner's statement of reasons for allowance: The instant invention is a film defect localization and correction method.

Prior art was found for the claim limitations and applied in the non-final and final office actions. Newly added limitation of multiple widthwise analysis to determine linear defects is found in Hochgraf [US 5,274,243] at column 1, lines 60-65. However, there is no strong motivation to combine teachings of Bryant, Bilhorn, Kojima, Reem and Hochgraf to arrive at the claimed invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

[4] Claims 1, 2, 4, 8, 10-15 and 25-34 are allowed.

Contact Information


[5] Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Sath V. Perungavoor whose telephone number is (571) 272-7455. The examiner can normally be reached on Monday to Friday from 8:30am to 5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Bhavesh M. Mehta whose telephone number is (571) 272-7453, can be reached on Monday to Friday from 9:00am to 5:00pm. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dated: May 17, 2006

By: 

Sath V. Perungavoor
Telephone: (571) 272-7455

For: Bhavesh M. Mehta


BHAVESH M. MEHTA
SUPERVISORY PATENT EXAMINER
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